I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 13, 2009.

Alexandra Allison

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Craig Ogg, et al.

Application No.

10/747,936

Filed

December 29, 2003

Title

JUL 1 6 2009

OUTBOUND MAIL PIECE TRACKING

Grp./Div.

3628

Examiner

Erb, Nathan

Docket No.

PSTA0002/MRK

AMENDMENT AND RESPONSE WITH REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE Commissioner for Patents P.O. Box 1450 140 S. Lake Ave., Suite 312 Pasadena, CA 91101-4710

Alexandria, VA 22313-1450

July 13, 2009

Commissioner:

This Amendment and Response is filed in reply to the Office Action, designated a final rejection, regarding the above-identified application, dated April 13, 2009. A Request for Continued Examination and the appropriate fee are concurrently filed herewith. The Office Action set a three-month period of time in which to respond, namely, by July 13, 2009. It is respectfully submitted that this Amendment and Response and the concurrently filed Request for Continued Examination are timely filed within the three-month period because they are filed before the expiration of the July 13, 2009. Reconsideration of the application in view of the Request for Continued Examination and the Amendments and the Response and Remarks below is respectfully requested.

<u>Amendments to the Claims</u> are reflected in the <u>Listing of Claims</u> that begins on page 2 of this paper.

Response and Remarks begin on page 15 of this paper.